

Article - Education

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§4–201.

(a) (1) This section does not apply to Baltimore City.

(2) Subsections (b), (c), (d), and (f) of this section do not apply in Prince George's County.

(b) (1) The term of a county superintendent is 4 years beginning on July 1. A county superintendent continues to serve until a successor is appointed and qualifies.

(2) By February 1 of the year in which a term ends, the county superintendent shall notify the county board whether the superintendent is a candidate for reappointment.

(3) In the year in which a term begins, the county board shall appoint a county superintendent between February 1 and June 30. However, if the county board decides to reappoint the incumbent superintendent, the county board shall take final action at a public meeting no later than March 1 of that year.

(4) If a county board is unable to appoint a county superintendent by July 1 of a year in which a term begins, the provisions of subsection (d) of this section apply.

(c) (1) An individual may not be appointed as county superintendent unless the individual:

(i) Is eligible to be issued a certificate for the office by the State Superintendent;

(ii) Has graduated from an accredited college or university;
and

(iii) Has completed 2 years of graduate work at an accredited college or university, including public school administration, supervision, and methods of teaching.

(2) The appointment of a county superintendent is not valid unless approved in writing by the State Superintendent.

(3) If the State Superintendent disapproves an appointment, the State Superintendent shall give the reasons for disapproval in writing to the county board.

(d) If a vacancy occurs in the office of county superintendent, the county board shall appoint an interim county superintendent who serves until July 1 after the interim county superintendent's appointment.

(e) (1) Subject to the provisions of this subsection, the State Superintendent or a county board may remove a county superintendent for:

- (i) Immorality;
- (ii) Misconduct in office;
- (iii) Insubordination;
- (iv) Incompetency; or
- (v) Willful neglect of duty.

(2) (i) The State Superintendent may remove a county superintendent under this subsection if the State Superintendent provides the county superintendent with:

- 1. The reason for removal, chosen from one or more of the items in paragraph (1) of this subsection;
- 2. Documentation supporting the case for removal; and
- 3. The opportunity to request a hearing within 10 days before the State Superintendent in accordance with this subsection.

(ii) The county superintendent may appeal the decision of the State Superintendent to the State Board.

(3) If the county superintendent requests a hearing before the State Superintendent within the 10-day period:

(i) The State Superintendent promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Superintendent sends the county superintendent a notice of the hearing; and

(ii) The county superintendent shall have an opportunity to be heard publicly before the State Superintendent in the county superintendent's own defense, in person or by counsel.

(4) (i) A county board may remove a county superintendent under this subsection if the county board provides the county superintendent with:

1. The reason for removal, chosen from one or more of the items in paragraph (1) of this subsection;

2. Documentation supporting the case for removal; and

3. The opportunity to request a hearing within 10 days before the county board in accordance with this subsection.

(ii) The county superintendent may appeal the decision of the county board to the State Board.

(f) On notification of pending criminal charges against a county superintendent as provided under § 4–206 of this subtitle, the county board may suspend the county superintendent with pay until the final disposition of the criminal charges.

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